

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-5033

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JUAN MANUEL LOPEZ, a/k/a Juan Lopez, a/k/a Juan Manuel Lopez
Medina,

Defendant - Appellant.

Appeal from the United States District Court for the Middle
District of North Carolina, at Greensboro. Catherine C. Eagles,
District Judge. (1:11-cr-00031-CCE-1)

Submitted: May 23, 2012

Decided: June 7, 2012

Before WILKINSON, NIEMEYER, and FLOYD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Alan Doorasamy, Sr., LAW OFFICE OF ALAN DOORASAMY, SR., Winston-
Salem, North Carolina, for Appellant. Sandra Jane Hairston,
Assistant United States Attorney, Greensboro, North Carolina,
for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Juan Manuel Lopez appeals the 270-month sentence imposed by the district court following a guilty plea to conspiracy to distribute five kilograms or more of cocaine, in violation of 21 U.S.C. § 846 (2006). Counsel has filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), stating that there are no meritorious issues for appeal, but questioning whether the district court erred in granting the Government's U.S. Sentencing Guidelines Manual § 5K1.1 (2010) motion and awarding a fifteen percent reduction in sentence rather than the twenty percent reduction requested by Lopez. Lopez was informed of his right to file a pro se supplemental brief, but he has not done so. The Government has likewise declined to file a brief. We affirm.

In accordance with Anders, we have reviewed the entire record in this case and have found no meritorious issues for appeal. We therefore affirm the district court's judgment. To the extent Lopez argues his dissatisfaction with the scope of the district court's departure, that decision is unreviewable on appeal. See United States v. Hill, 70 F.3d 321, 324 (4th Cir. 1995) (this court cannot review "the extent of the district court's downward departure, except in instances in which the departure decision resulted in a sentence imposed in violation

of law or resulted from an incorrect application of the Guidelines").

This court requires that counsel inform Lopez in writing of his right to petition the Supreme Court of the United States for further review. If Lopez requests that a petition be filed, but counsel believes that such a petition would be frivolous, then counsel may move in this court for leave to withdraw from representation. Counsel's motion must state that a copy thereof was served on Lopez.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED